

3-24-06

PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 28

Application Number 10/668,672

Filing Date 09/23/2003

First Named Inventor Samuel Stupp

Art Unit 1654

Examiner Name Jennifer I. Harle

Attorney Docket Number 8696

**ENCLOSURES (check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/  
Incomplete Application☐ Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board  
of Appeals and Interferences☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)  
(please identify below):• Statement for Information Disclosure  
Under 37 CFR 1.97(e)• Transmittal of Information Disclosure Statement  
within Three Months of Filing or Before Mailing of  
First Office Action

• Copy of International Search Report

• Copies of nonpatent references

**Remarks****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm

Reinhart Boerner Van Deuren s.c.

Signature

Printed Name

Rodney D. DeKruif

Date

March 23, 2006

Reg.  
No.

35,853

**CERTIFICATE OF TRANSMISSION/MAILING**

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Typed or printed name

Rodney D. DeKruif

Date

March 23, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. 1278420

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Reinhart Boerner Van Deuren s.c.

Dated: March 23, 2006

BY: Rodney D. DeKruif  
Rodney D. DeKruif

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Samuel Stupp	)	Group Art No.: 1654
	)	
Serial No.: 10/668,672	)	Examiner: Jennifer I. Harle
	)	
Filed: September 23, 2003	)	Atty Docket No. 8696
	)	
For: SELF-ASSEMBLED PEPTIDE-	)	
AMPHIPHILES & SELF-	)	
ASSEMBLED PEPTIDE NANO-	)	
FIBER NETWORKS PRESENTING)	)	
MULTIPLE SIGNALS	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT FOR INFORMATION DISCLOSURE UNDER 37 C.F.R. § 1.97(e)

1. This statement is being made for the Information Disclosure Statement accompanying this statement.
2. I, the person(s) signing below state:  
  
that each item of information contained in the information disclosure statement was first cited in any communication (copy attached) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. § 1.97(e)(1).
3. The person making this statement is the practitioner who signs below on the basis of the information in the practitioner's file.

Registration No. 35,853  
Telephone No.: 414-298-8360  
  
Customer No.: 22922  
1278420

Rodney D. DeKruif  
Rodney D. DeKruif  
Reinhart Boerner Van Deuren s.c.  
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1000 North Water Street, Suite 2100  
Milwaukee, WI 53202



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Reinhart Boerner Van Deuren s.c.

**PATENT APPLICATION**

By: Rodney D. DeKruif  
Rodney D. DeKruif

Date: March 23, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP ART UNIT: 1654

EXAMINER: JENNIFER I. HARLE

In re application of: Sankar Sambasivan )  
Application No: 10/668,672 )  
Filed: September 23, 2003 )  
Attorney Docket No. 8696 )  
Customer No. 22922 )

For: SELF-ASSEMBLED PEPTIDE-  
AMPHIPHILES & SELF-  
ASSEMBLED PEPTIDE  
NANOFIBER NETWORKS  
PRESENTING MULTIPLE  
SIGNALS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 23, 2006

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF  
FIRST OFFICE ACTION (37 CFR 1.97(b))**

**NOTE:** "An information disclosure statement shall be considered by the Office if filed: (1) within three months of the filing date of a national application; (2) within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) before the mailing date of a first Office action on the merits, whichever event occurs last." 37 CFR 1.97(b).

**NOTE:** The "filing date of a national application" under 37 CFR 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 CFR 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 CFR 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the

following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the International preliminary examination report, if such annexes were made in another language. 37 CFR 1.97(b)(2).

## IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

**NOTE:** "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing.

**NOTE:** "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 CFR 1.8, or Express Mail certificate under 37 CFR 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**NOTE:** "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

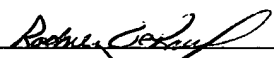
**NOTE:** "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirement (37 CFR 1.142) or just a requirement for additional fees to have a claim considered (37 CFR 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 CFR 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

Dated: March 23, 2006

Reg. No. 35,853

Tel. No.: (414) 298-8360

  
\_\_\_\_\_  
SIGNATURE OF ATTORNEY  
Rodney D. DeKruif  
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PTO/SB/08b(08-03)

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	10/668,672
Filing Date	09/23/2003
First Named Inventor	Samuel Stupp
Art Unit	1654
Examiner Name	Jennifer I. Harle
Attorney Docket Number	8696

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		TIRREL, M., "Biofunctionalization of Surfaces with Peptide Amphiphiles", AVS 46.sup.th International Symposium, Paper No. BI-WeM7, October 27, 1999	
		NARUSAWA et al., "Hydrophilicity of Poland and Apolar Domains of Amphiphiles", Journal of Colloid and Interface Science 229, pp. 375-390 (2000), September 15, 2000	

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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